

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	X Chapter 11
	:
	:
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	Case No. 08-13555 (SCC)
	:
Debtors.	:
	X
LEHMAN BROTHERS HOLDINGS INC. and OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF LEHMAN BROTHERS HOLDINGS INC.,	:
	:
	Adversary Proceeding
	:
	No. 10-03266 (SCC)
Plaintiff and	:
Plaintiff Intervenor	:
	:
-against-	:
	:
JPMORGAN CHASE BANK, N.A.,	:
	:
Defendant.	:
	X

EIGHTEENTH AMENDED SCHEDULING ORDER AND DISCOVERY PLAN

WHEREAS, Plaintiff Lehman Brothers Holdings Inc. (“LBHI”) and Plaintiff Intervenor Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc. (collectively, “Plaintiffs”) filed an adversary complaint against defendant JPMorgan Chase Bank, N.A. (“JPMorgan” and, together with Plaintiffs, the “Parties”) on May 26, 2010 (the “Complaint”);

WHEREAS, the Parties agreed to an Seventeenth Amended Scheduling Order and Discovery Plan on April 3, 2014;

WHEREAS, the Parties have reached agreement on the terms of this Eighteenth Amended Scheduling Order and Discovery Plan, and intend this Eighteenth Amended Scheduling Order and Discovery Plan to supersede the corresponding sections of prior Scheduling Orders;

NOW, THEREFORE, the Court hereby adopts the following stipulated schedule and discovery plan, superseding the corresponding sections of prior Scheduling Orders.

Schedule:

a. **Fact Discovery:**

i. All fact discovery, including depositions, shall be completed on or before July 19, 2013, except that, subject to all objections and defenses other than as to dates set in this Scheduling Order, international depositions pursuant to the Hague Convention which are duly requested but not completed before July 19, 2013 may be completed after that date.

ii. The Parties are entitled to take third party discovery on the same schedule as party fact discovery.

b. **Expert Discovery:**

i. Plaintiffs and counterclaim plaintiffs shall disclose the identities of any testifying expert witnesses and serve any expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) (made applicable to this matter pursuant to Fed. R. Bankr. P. 7026) no later than September 18, 2013.

ii. Defendants and counterclaim defendants shall disclose the identities of any testifying expert witnesses and serve any expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) (made applicable to this matter pursuant to Fed. R. Bankr. P. 7026) no later than November 18, 2013.

iii. The Parties shall serve any supplemental expert reports no later than January 31, 2014.

iv. All expert depositions shall be completed on or before July 10, 2014.

c. **Dispositive Motions:**

- i. Any dispositive motions shall be filed and served on or before August 15, 2014.
- ii. Oppositions to any dispositive motions shall be filed on or before November 14, 2014.
- iii. Reply briefs in further support of any dispositive motions shall be filed on or before January 30, 2015.

d. **Trial:**

- i. The Court shall hold a final pre-trial conference on a date to be determined in consultation with the Court, including with respect to its disposition of any dispositive motions.
- ii. Trial shall begin on a date to be determined in consultation with the Court.

DATED: June 13, 2014

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /s/ Erica Taggart
John B. Quinn
Susheel Kirpalani
Andrew J. Rossman
Erica Taggart
James C. Tecce
Christopher D. Kercher
*Counsel for Plaintiff Intervenor Official
Committee of Unsecured Creditors of Lehman
Brothers Holdings Inc.*

DATED: June 13, 2014

CURTIS, MALLET-PREVOST, COLT & MOSLE
LLP

By /s/ Joseph D. Pizzurro
Joseph D. Pizzurro
L.P. Harrison 3rd
Michael J. Moscato
Nancy E. Delaney
Peter J. Behmke
Cindi E. Giglio
Counsel for Plaintiff, Debtor Lehman Brothers Holdings Inc.

DATED: June 13, 2014

WACHTELL, LIPTON, ROSEN & KATZ

By /s/ Ian Boczko
Paul Vizcarrondo
Marc Wolinsky
Amy R. Wolf
Ian Boczko
Counsel for Defendant JPMorgan Chase Bank, N.A.

IT IS SO-ORDERED:

June 20, 2014
New York, New York

/s/ Shelley C. Chapman
HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE